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GOVERNMENT OF PUNJAB
DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS
(Tourism Branch)

NOTIFICATION

Water Tourism Policy for State of Punjab-2023

The 14th March, 2023

No.Tour-10POLI/1/2023-3TC/445934/289.–

1. Introduction:

- 1.1. Water is an important asset which has immense scope for Tourism. All over the world, water bodies are extensively used for tourism purposes and some major tourist destinations are situated on or around water bodies.
- 1.2. Punjab has the fortune of having three major rivers with an extensive canal system which remains untapped for tourism purposes. This policy seeks to tap this potential to give a boost to Water Tourism in the state, thereby generating employment and economic development of such areas.

2. Definitions

- 2.1. “Department” shall mean the Department of Tourism & Culture, Government of Punjab
- 2.2. “Government” shall mean the Government of Punjab in the Department of Tourism & Culture
- 2.3. “Director” shall mean the Director of the Department of Tourism, Government of Punjab
- 2.4. “Investor” shall mean a person, company or firm desirous of investing time and monetary resources for setting up a Water Tourism Project in the State
- 2.5. “Person” shall mean a human being, a body of persons, cooperative society or other legal entity that is recognized by law as the subject of rights and duties
- 2.6. “State” shall mean the State of Punjab
- 2.7. “Tourist” shall mean any person who visits an area for a short duration for recreational purpose
- 2.8. “Water Bodies” means any river, stream, lake, reservoir, canal, drain or any other natural/ artificial feature that holds water, whether permanently or temporarily, but shall not include the traditional water bodies situated within villages and used for common purposes by the villagers.

2.9. "Water Tourism Project" means any project established on a Water Tourism Site with the primary intention of attracting Tourists, and which essentially involves the physical usage of water as a resource to attract tourists.

2.10. "Water Tourism Site" shall mean any site abutting or in close proximity to a Water Body, which if developed appropriately, has the potential of attracting tourists,

3. Identification of Water Bodies

3.1. The Department of Tourism, in consultation with the Department of Water Resources, shall identify water bodies in the State which have tourism potential.

3.2. In case of Artificial lakes, the Department of Tourism shall coordinate with the concerned Administrative Department.

4. Identification of Land abutting Water Bodies

4.1. Any government/ panchayat land or any other land abutting water bodies, which can be potential sites for establishment of Water Tourism Projects, shall be identified and declared as such by the Department.

Provided that the concerned Administrative Department or Local Body or Panchayat may be consulted before such a declaration

4.2. The identification of Water Bodies shall be placed in the Public Domain by the Department for the general information of Investors.

5. Private lands abutting Water Bodies

5.1. Any person in ownership of land abutting a Water Body can apply to the Department for declaring such land as a Water Tourism Site on payment of such fee and on such conditions as may be prescribed by the Government.

Provided that where the owner or any person in possession of the land violates the conditions prescribed by the Government, the site shall automatically cease to be a Water Tourism Site and the owner shall be liable to pay such penal charges as may be prescribed by the Department.

5.2. Pursuant to such a Declaration, the owner shall not be permitted to withdraw his application before the expiry of the period for which it has been granted.

5.3. Where any private site has been declared as a Water Tourism site, only Water Tourism Projects approved by the Empowered Committee shall be allowed to come up on it.

5.4. Where a site has been declared a Water Tourism Site under Section 5.1, the water rights shall continue to vest in the Government unless specifically vested, in part or whole, in another person under this policy.

5.5. The Government shall retain the right of way to access any water body, or its part area, usage of which has been allowed to a private player under this policy. However, this shall be done in special circumstances and for reasons to be recorded in writing.

6. Water Tourism Projects

6.1. The Government shall actively promote Water Tourism Projects in the State

6.2. The Government shall encourage Investors to establish Water Tourism Projects and will assist in facilitating investor to obtain the requisite licences/permissions as may be requested.

6.3. Since Water Bodies are scarce and valuable tourism resources, only water tourism projects having substantial tourism potential shall be approved by the Empowered Committee

- 6.4. The Department shall establish a single window for receipt and processing of all applications related to Water Tourism Projects, received directly from the Investor or through the Bureau of Industrial Investment, Government of Punjab
- 6.5. The Government may also enter into a public-private partnership for select Water Tourism Projects in accordance with the provisions of “*The Punjab Transparency in Public Procurement Act, 2019*’ and “*The Punjab Transparency in Public Procurement Rules, 2022*”

7. Mandatory requirements for any Water Tourism Project

- 7.1. Water Tourism Projects shall mandatorily provide a buffer zone of 10 metres from the edge of the water body. No construction shall be permitted in the buffer zone other than construction of pathways leading to jetties/ bridges/waterfront. However, the investor may suitably beautify this area with natural sand/soil and flora/fauna.
- 7.2. Water Tourism Projects shall provide adequate safeguards to ensure that the waters and the surroundings remain pollution free.
- 7.3. Water Tourism Projects shall provide for Sewage Treatment Plants, wherever required. These Projects shall be zero discharge projects i.e. the treated water of the STP shall have to be mandatorily used in a scientific manner within the boundary of the project.
- 7.4. Water Tourism Projects shall strictly abide by the norms fixed by the Punjab Pollution Control Board from time to time.
- 7.5. Water Tourism Projects shall require a Change of Land Use (CLU) for the land on which these are proposed to be set up. However, Tourism Projects, which do not involve any covered brick and mortar construction, and are using the waters of a water body, shall be exempted from requirement of CLU.
- 7.6. Floor Area Ratio for a Water Tourism Project shall be notified by the Dept of Housing & Urban Development from time to time and the Project shall have to comply with such norms.
- 7.7. Any other condition prescribed from time to time or in force under a law.

8. Approval for Water Tourism Projects

- a) All approvals for the Water Tourism projects shall be granted by the Empowered Committee
- b) The Empowered Committee may authorize the Executive Committee, or any other Committee duly approved by it, to undertake the evaluation of the Water Tourism Projects submitted by Investors
- c) Any Committee authorized by the Empowered Committee in the preceding sub-section shall submit its recommendation to the Empowered Committee for final decision

9. Evaluation of Water Tourism Projects

- 9.1. The provisions of “*The Punjab Transparency in Public Procurement Act, 2019*’ and “*The Punjab Transparency in Public Procurement Rules, 2022*” shall be applicable to all actions taken under this Section
- 9.2. Evaluation of Water Tourism Projects for a project period of less than 5 years shall be undertaken as under –
 - a) Such projects should not involve any permanent Brick and Mortar structures
 - b) No project proposing an extension in period beyond 5 years shall be entertained
- 9.3. Evaluation of Water Tourism Projects for a project period of more than 5 years shall be undertaken

as under –

- a) Where there is a unique project received around a particular Water Tourism Site, the procedure prescribed under Swiss Challenge shall be followed
- b) Where more than one project is received around a particular Water Tourism Site, competitive bidding using 2- stage methodology viz Pre-Qualification followed by highest financial bid, shall be followed

9.4. Water Tourism Projects shall be evaluated after giving due weightage to the following factors-

- a) The novelty factor in such a project
- b) The impact of such a project on the image of the State as a Tourist Destination
- c) The ability of the project to generate local employment
- d) The success of such projects, wherever already established
- e) The component of Adventure Sports in such a project
- f) The Investment involved
- g) The improvement of the Water Body to make it more striking for the tourist
- h) The CSR commitment in such a project
- i) The Licence Fee offered for the project
- j) Environmental Impact of the Project
- k) Impact of the Project vis-à-vis the safety of hydraulic structures, if any.
- l) Projects offering only eateries and/or lodging services in brick & mortar structures shall not be approved, unless these are being offered in a novel manner, or the Brand submitting the project has national recognition and substantial investment has been proposed by it.

10. Control over the Water Bodies

- 10.1. The State shall have absolute rights over the usage of water bodies, situated within the State, for the purposes of promotion of tourism.
- 10.2. The rights of the State to approve Water Tourism Projects on or near the Water Bodies situated within the State shall be absolute irrespective of the title of the land on which these water bodies are located, unless specifically debarred by any law for the time being in force.

11. Grant of Rights to Investors over Water Bodies

- 11.1. The Empowered Committee, may at its discretion, grant certain rights over any part of the water body to the Investors.
- 11.2. Mere application for grant of rights over any water body shall not confer any legal right to the Investor to be granted such rights
- 11.3. Such rights shall be limited to any or all of the following-
 - a) The rights to use the waters for water sports and/or adventure sports
 - b) The rights to use the waters for navigation of boats
 - c) The rights to beautify the Water Bodies through installation of Musical Fountains, Sound & Light Shows, Laser shows etc
 - d) The rights to construct pedestrian bridges across the water body or into the water body
 - e) The rights to navigate through the water body in boats/ streamers etc

f) The rights to enhance the tourism potential of the water body in any other way.

11.4. Such rights shall accrue only after these are duly notified by the Department and shall automatically lapse in case the Water Tourism Project fails to operationalise within the period prescribed.

11.5. The Government shall retain the right of way to access any water body, or its part area, usage of which has been allowed to a private player under this policy. However, this shall be done in special circumstances and for reasons to be recorded in writing.

11.6. Any rights granted under this section shall always be subservient to the rights of the Department of Water Resources and in case of any conflict, the rights of the Department of Water Resources shall always prevail.

12. Cancellation / Expiry of Projects

12.1. A Water Tourism Project and/or the Rights over any Water Body granted to an Investor may be cancelled at any time by the Empowered Committee if it is of the opinion that-

- a) The project is causing damage to the environment
- b) The terms and conditions specified by the Government for such a project have been violated
- c) The projects is not in operation for a continuous period of more than three months
- d) There are compelling requirements of the Department of Water Resources, which cannot be met without closure of the project.

12.2. Where an order of cancellation has been passed or the Term of the Project has expired, the Investor shall be allowed a period of two months to clear the site and the water body failing which the clearance shall be done at the risk and cost of the Investor and any material subsequently recovered from the site shall be deemed to be the property of the Government.

Provided that where an order of cancellation has been passed in pursuance of sub-clauses (a) – (b) of the preceding sub-section, the Investor shall be declared a defaulter. In such a scenario the security deposit shall be forfeited and any other penalty prescribed by the Department shall also be imposed and recovered in such manner as may be notified by the Department.

13. Implementation mechanism

13.1. In order to implement this policy, the following committees are hereby constituted, with their constitution and responsibilities as under:

Empowered Committee

- | | |
|--|---------------|
| a) Chief Minister | Chairman |
| b) Water Resources Minister | Vice-Chairman |
| c) Tourism & Cultural Affairs Minister | Vice-Chairman |
| d) Chief Secretary | Member |
| e) Principal Secretary Finance | Member |
| f) Principal Secretary Water Resources | Member |
| g) Principal Secretary Science & Technology | Member |
| h) Minister(s) of the Department(s) related to any proposal to be placed before the Committee | Member |
| i) Administrative Secretary of the Department(s) related to any proposal to be placed before the Committee | Member |

-
- j) Principal Secretary Tourism & Cultural Affairs Member Secretary
 - k) Any other person may be called as a Special Invitee with the permission of the Chairman

The Empowered Committee shall –

- a) Lay down the broad vision for the promotion of Water Tourism in the State.
- b) Approve the various sites across the State which can be declared as Water Tourism Sites.
- c) Specify the nature of tourism project to be allowed/ developed in any particular Water Tourism Site.
- d) Approve Water Tourism Projects in the State
- e) Approve modifications in Water Tourism Projects hitherto approved by it.
- f) Assign the various weights to the factors enumerated under Section 9.3 of the Policy

The Empowered Committee shall meet at least once in three months.

Executive Committee

- a) Principal Secretary Water Resources Chairman
- b) Principal Secretary, Tourism & Cultural Affairs Co-Chairman
- c) Director, Sports Member
- d) Director, Information & Public Relations Member
- e) Chairman PPCB Member
- f) Chief Conservator of Forests (Territorial) Member
- g) Chief Conservator of Forests (Wildlife) Member
- h) Chief Engineer PWD Member
- i) Director, Tourism & Cultural Affairs Member Secretary
- j) Any other person may be called as a Special Invitee with the permission of the Chairman

The Executive Committee shall be responsible for-

- a) Liaison with various Departments of the State and Central Government and obtaining the necessary approvals for operationalising the Water Tourism Projects approved by the Empowered Committee.
- b) Interacting with various private sector entities engaged in Water Tourism Projects to facilitate ease of doing business in the state.
- c) Notifying the mandatory safety protocols to be followed in different Water Tourism Projects.
- d) Issuing necessary directions from time to time for implementing the decisions of the Empowered Committee.

The Executive Committee shall meet at least once a month. All pending proposals for offering Water Tourism Projects in the State, irrespective of whether such a proposal meets the mandatory requirements or not, shall be placed before the Executive Committee for appropriate decision. The Executive Committee may call upon the proposer to appear before it and answer such queries as it may deem appropriate.

The O/o Director, Tourism & Cultural Affairs shall act as a Single Window for accepting all proposals related to Water Tourism Projects. The proposals shall be placed before the Executive Committee and it shall be the responsibility of the members of the Executive Committee to obtain the approvals/ rejections, if any, from their respective departments and place these before the Executive Committee in its subsequent

meeting so. All Licences for undertaking projects related to Water Tourism shall be issued by the Director. Tourism & Cultural Affairs within 7 days of approval of the project by the Empowered Committee.

District Level Committee

1. Deputy Commissioner	Chairman
2. SSP	Member
3. ADC (Development)	Member Secretary
4. DFO	Member
5. DFO Wildlife	Member
6. District Sports Officer	Member
7. Xen Canals	Member
8. Xen Drainage	Member
9. DEO (Primary)	Member
10. DEO (Secondary)	Member
11. DPRO	Member
12. Nominee of the Tourism Department	Member
13. Any other person may be called as a Special Invitee with the permission of the Chairman	

The District Level committee will be responsible for operationalising and encouraging Adventure Sports in the District. It shall facilitate ease of offering Adventure Sports within the District and actively support the National Federations / private entrepreneurs in this regard. It shall also ensure that mandatory safety protocols are being adhered to.

The District Level Committee shall meet at least once a month.

14. Incentives & Concessions

14.1. The incentives specifically provided under the Industrial and Business Development Policy for different classes of projects, shall also be available for establishment of corresponding Water Tourism Projects in the State of Punjab.

15. Dispute Resolution

- 15.1. Where any dispute arises for want of a clarification of any of the provisions of this policy, the matter shall be referred to the Government, whose decision in this regard shall be final
- 15.2. Where any dispute arises out of implementation of any of the provisions of this policy and/or any failure of an obligation under this policy and/or any act of omission or commission under this policy, the matter shall be referred for arbitration for resolution of the dispute
- 15.3. Where any dispute arises as a result of financial obligations under this policy or financial obligations with regard to any licence issued this policy, the matter shall be referred to the Director whose decision in this regard shall be final.

Sd/-

GURKIRAT KIRPAL SINGH, IAS

Secretary to Government of Punjab
Department of Tourism & Cultural Affairs

Chandigarh

The 13th March, 2023